Case 3:10-cv-00188-JPG-PMF Document 348-37 Filed 12/27/12 Page 1 of 2 Page ID #13963

From:

Langkamp Scott USGR

Sent:

Wednesday, March 22, 2006 9:55 AM

To: Cc: Maurer Willy CHBS; Martin Duane USGR; Knight Frank USGR Luczak Marek CHBS; Moseley Carroll USGR; Camp Alan USGR

Subject:

RE: Sales of atrazine to MANA in the US in 2007

Willy, I am open to continuing the MANA supply arrangement in 2007. I would recommend that we not communicate the same price, but we should push for a price strategy that is aligned with where we want to go with our longer term agreement and (hopefully) improves our margins. I am in agreement with your reasons A-C, but not clear on reason D (probably due to a lack of info, which is OK).

These are my thoughts ... Duane, Frank, Carroll ... please provide yours.

Regards.

Scott

From:

Maurer Willy CHBS

Sent:

Wednesday, March 22, 2006 3:46 AM

To: Cc: Martin Duane USGR; Langkamp Scott USGR; Knight Frank USGR Luczak Marek CHBS; Moseley Carroll USGR; Camp Alan USGR

Subject:

Sales of atrazine to MANA in the US in 2007

Importance:

: High

Duane, Scott and Frank,

I am coming back to the last proposal we got from MANA on February 6 about the future supply of atrazine to them in 2007 and further years.

I have not yet given a written answer to them arguing that this was not the type of answer we were expecting after our meeting with them in GSO on January 24.

Ziki Levavi called me recently to ask if we would still be interested in his proposal, saying that they have to take a decision soon on the production side because of purchase of some raw materials.

Considering the whole situation today, here is what I propose to tell them:

- 1) Based on the price of atrazine tech they indicated (1.12 \$/lb) we are not ready to further discuss the supply of 100% of their US requirements for the year 2007
- 2) Depending on how the situation on the cost side evolves during 2006, we may come back to discuss it again Beg 2007 for the year 2008.
- 3) We are ready to extend into 2007 the same deal we have started in 2006 with the supply of about 500'000 gal 4 L atrazine formulation bulk at the same price of 5.90 \$ / gal. (price corresponds with MANA's proposal of Feb 6)

Here are the reasons which support point 3 above:

- A) keeping the door open with MANA on the supply side allows us to build some continuity in our industrial sales to them and allows us to gain some knowledge on their business. It increases our credibility because we are showing that the 2006 deal was not only a one year deal.
- B) does not engage us more than we have already done in 2006, but allows us to gain again the equivalent of 2 M lbs atrazine tech in 2007
- C) based on the atrazine cost forecast of the supply chain for 2007, we will have a much better margin with the 4 L than we have this year
- D) maintains our credibility with Agriliance, where MANA was formulating their 4L. If we decide not to repeat the supply of our 4L to MANA in 2007, Agriliance will think we did it in 2006 to annoy them, and they will not be able to use their capacity for something else (which they have probably already started to plan).

Case 3:10-cv-00188-JPG-PMF Document 348-37 Filed 12/27/12 Page 2 of 2 Page ID #13964

Please let me know if you agree with my proposal so that I can inform Ziki. Many thanks Willy

Willy Maurer Global Product Manager Triazines & Sulfonylureas Phone: +41 61 323 60 32 Office Mobile: +41 61 79 309 18 20